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KENNETH S. KLEIN

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

KENNETH S. KLEIN,
Plaintiff,
vs.
THE NORTHWESTERN MUTUAL LIFE
INSURANCE COMPANY; STANDARD
INSURANCE COMPANY; FOLEY &
LARDNER LONG-TERM DISABILITY PLAN;
and DOES 1-30, inclusive,
Defendants.

Case No. 09 CV 2843 W (NLS)

**AMENDED SUPPLEMENTAL
DECLARATION OF BRIAN H. KIM IN
SUPPORT OF JOINT MOTION FOR
DETERMINATION OF DISCOVERY
DISPUTE**

Date: TBD
Time: TBD
Dept.: Courtroom D
Magistrate Judge: Hon Nita L. Stormes

I, Brian H. Kim, declare:

1. I am an attorney at law duly admitted to practice in the State of California and before the Northern District of California. I am an associate in the law firm of Pillsbury & Levinson, LLP, counsel of record for Plaintiff Kenneth E. Klein in the above action. I make this declaration of my own personal knowledge and, if called as a witness, I could and would competently testify as to the matters set forth herein.

2. On or around June 1, 2011, after the filing of the May 16, 2011 Joint Discovery Motion, our office received the Privilege Log of Defendant Standard Insurance Company from Defendants' counsel, which was served by mail on May 27, 2011. Attached as **Exhibit E** is a true and correct copy of the Privilege Log.

3. On the mornings of June 7 and 9, 2011, I telephoned Carol Lewis of Meserve, Mumper & Hughes LLP, counsel for Defendants, and discussed with her our belief that the Privilege Log should be provided to the Court and the appropriate procedure for doing so.

4. On June 10, 2011, Ms. Lewis advised me that Defendants objected to both the filing of a supplemental declaration and to the filing of the Privilege Log.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 10th day of June, 2011 in San Francisco, California.

/s/ Brian H. Kim

Brian H. Kim